

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)



Date of mailing

(day/month/year) 21 FEBRUARY 2005 (21.02.2005)

Applicant's or agent's file reference

PP-E0058

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/KR2004/002673

International filing date (day/month/year)

19 OCTOBER 2004 (19.10.2004)

Priority date(day/month/year)

24 OCTOBER 2003 (24.10.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 H04B 1/40

Applicant

KJ HEALTH CARE CO., LTD. et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002673

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002673

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 12	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1 - 12	NO
Industrial applicability (IA)	Claims	1 - 12	YES
	Claims		NO

2. Citations and explanations :

Reference is made to the following documents:

D1 : JP 15-57244, A (NIPRO CORP) 26 FEBRUARY 2003

D2 : KR 2002-32508 A(COSMOGENOME INC) 03 MAY 2002

1. Novelty(PCT Article 33(2))

Neither D1 nor D2 discloses technical components regarding a insulin pump for use in conjunction with mobile communication terminal capable of measuring a blood glucose level and network system for transmitting control information for the insulin pump.

Therefore, claims 1-12 meet the criteria set out in PCT Article 33(2).

2. Inventive Step(PCT Article 33(3))

Claims 1-12 of the present invention relate to an insulin pump for use in conjunction with a mobile communication terminal capable of measuring blood glucose levels and a network system for transmitting control information for the insulin pump, in which information on the measured blood glucose level is provided to a medical server through the mobile communication terminal, information on the amounts of insulin is received from the medical server, and the insulin pump is controlled based on the information on the amounts of insulin to be injected. Thus, the device is not only for improving the convenience of use of the insulin pump but also for performing the supply of precise amounts of insulin

On the other hand, D1 discloses a recording medium capable of measuring blood sugar and used for a system for utilizing the recording medium mounted on a portable terminal device as a blood sugar measuring device, connecting the portable terminal device and a server for managing blood sugar information received from the portable terminal device to a network, and to provide bi-directional service between them.

And D2 also discloses a patch type infusion pump adjustable at a remote distance by using a wireless communication method which is provided to achieve an ultra light pump by eliminating the installation of manipulating switches or display elements, and to enable a user to monitor and to deal with the abnormal condition of the pump at the remote distance via a network.

Therefore, claims 1-12 do not meet the criteria set out in PCT Article 33(3).

3) Industrial Applicability (PCT Article 33(4))

Claims 1-12 meet the criteria set out in PCT Article 33(4) because the subject matter of said claims is industrially applicable.